

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

AIR QUALITY PERMIT

Permittee Name: Brown's Plating Service, Inc.
Mailing Address: 1010 Kreb's Station Road, Paducah, Kentucky 42003

Source Name: Brown's Plating Service, Inc.
Mailing Address: 1010 Kreb's Station Road
Paducah, Kentucky 42003

Permit Type: Federally-Enforceable
Review Type: Operating, Conditional Major

Permit Number: F-02-024
Log Number: 55242
Application Complete Date: November 27, 2002

KYEIS ID#: 21-145-00066
SIC Code: 3471

Region: Paducah
County: McCracken

Issuance Date:
Expiration Date:

John S. Lyons, Director
Division for Air Quality

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

02 (02) Chrome Plating

Description:

Chrome plating process consisting of the chrome bath identified as T1/C1. Motorcycle parts are chrome plated in the process.

Construction commenced: 1978

APPLICABLE REGULATIONS:

40 CFR 63, Subpart N-National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

401 KAR 59:010, New process operations.

1. Operating Limitations:

NA

2. Emission Limitations:

- a. The opacity of visible emissions from the chrome plating process shall not equal or exceed 20% opacity. [401 KAR 59:010, Section 3 (1) (a)].
- b. Particulate emissions from the chrome plating process shall not exceed 2.34 lbs/hr. [401 KAR 59:010, Section 3(2)].
- c. The permittee shall use bath components that contain a wetting agent. [40 CFR 63.342(e)].

Compliance Demonstration Method:

- a. The opacity shall be determined by Reference Method 9 of Appendix A to 40 CFR 60, filed by reference in 401 KAR 59:010.
- b. Particulate emission rate in lbs/hr = [Monthly production rate of the chromium plating bath x KEIS emission factor / Hours of operation the chromium plating bath].
- c. See Specific Recordkeeping Requirements below.

3. Testing Requirements:

Visible emissions shall be determined on a quarterly basis using U.S. EPA Reference Method 9.

4. Specific Monitoring Requirements:

Brown's Plating Service, Inc, shall monitor the following:
Monthly make-up rates for the plating baths.

REGULATIONS, AND OPERATING CONDITIONS

5. Specific Recordkeeping Requirements:

- a. The permittee shall keep records of the bath components purchased with the wetting agent clearly identified as a bath constituent contained in one of the components. [40 CFR 63.346 (b) (14)].
- b. The permittee shall keep records of the results of the quarterly visible emission observations.

6. Specific Reporting Requirements:

When the permittee ceases using a trivalent chromium bath that incorporates a wetting agent, the permittee must fulfill the reporting requirements of 40 CFR 63.347(i)(3) and comply with the applicable emission limitation within the timeframe specified in 40 CFR 63.343(a)(7). [40 CFR 63.342 (e) (3)].

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**22 (22) Solvent Vapor Degreaser and Recovery Still****Description:**

This unit consists of a batch trichloroethylene vapor degreaser.

APPLICABLE REGULATIONS:

401 KAR 63:002, Section 3(n), "National Emissions Standards for Halogenated Solvent Cleaning" as published in 40 CFR 63, Subpart T.

1. Operating Limitations:

- a. The vapor cleaning machine shall have the following control combination: Freeboard refrigeration device, reduced room draft, freeboard ratio of 1.0. [40 CFR 63.463(b)(2)(i)]
- b. Each cleaning machine shall have an automated parts handling system capable of moving parts or parts basket at a speed of 3.4 meters per minute (11 feet per minute) or less from the initial loading of parts through removal of clean parts. [40 CFR 63.463(a)(3)]
- c. Each vapor-cleaning machine shall be equipped with a device that shuts off sump heat if the sump liquid solvent level drops to the sump heater coils. [40 CFR 63.463(a)(4)]
- d. Each vapor-cleaning machine shall be equipped with a vapor level control device that shuts off sump heat if the vapor level rises above the height of the primary condenser. [40 CFR 63.463(a)(5)]
- e. Each vapor-cleaning machine shall have a primary condenser (chilled water lower coil). [40 CFR 63.463(a)(6)]
- f. The parts baskets or the parts being cleaned in the vapor cleaning machine shall not occupy more than 50 percent of the solvent/air interface area unless the parts baskets or parts are introduced at a speed of 3 feet per minute or less. [40 CFR 63.463(d)(2)]
- g. Any spraying operations shall be done within the vapor zone or within a section of the solvent cleaning machine that is not directly exposed to the ambient air (i.e., a baffled or enclosed area of the solvent cleaning machine). [40 CFR 63.463(d)(3)]
- h. Parts shall be oriented so that the solvent drains from them freely. Parts having cavities or blind holes shall be tipped or rotated before being removed from any solvent cleaning machine unless an equally effective approach has been approved by the administration. [40 CFR 63.463(d)(4)]
- i. Parts baskets or parts shall not be removed from any solvent-cleaning machine until dripping has stopped. [40 CFR 63.463(d)(5)]
- j. During startup of the vapor cleaning machine, the primary condenser shall be turned on before the sump heater. [40 CFR 63.463(d)(6)]
- k. During shutdown of the vapor cleaning machine, the sump heater shall be turned off and the solvent vapor layer allowed to collapse before the primary condenser is turned off. [40 CFR 63.463(d)(7)]
- l. The solvent shall be transferred to and from the solvent cleaning machine using threaded or other leak proof couplings and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface. [40 CFR 63.463(d)(8)]
- m. The solvent cleaning machine shall be operated according to manufacturer's specifications and all operators must complete and pass the applicable sections of the test of solvent cleaning operating procedures in 40 CFR 63, Subpart T, Appendix B. [40 CFR

SECTION B - EMISSION POINTS, AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (continued)

63.463(d)(9,10)]

- n. Waste solvent, still bottoms, and sump bottoms shall be collected and stored in closed containers. The closed containers may contain a device that would allow pressure relief, but would not allow liquid solvent to drain from the container. [40 CFR 63.463(d)(11)]
- o. No sponges, fabric, wood, or paper shall be cleaned in the solvent-cleaning machine. [40 CFR 63.463(d)(12)]
- p. Trichloroethylene usage shall not exceed 1500 gallons/12 consecutive months. [Self-imposed to avoid applicability of 401 KAR 52:020]

2. Emission Limitations:

Trichloroethylene emissions shall not exceed 9.5 tons/12 consecutive months. [Self-imposed to avoid applicability of 401 KAR 52:020]

Compliance Demonstration:

- a. Determine the monthly emissions for each individual solvent cleaning using the following equation.

$$E = (V) (EF) (1/2000)$$

Where E = monthly emissions for solvent cleaning machine (tons per month), V = monthly trichloroethylene usage (gallons/month), EF = trichloroethylene emission factor = 12.2 lbs/gallon.

3. Testing Requirements:

None.

4. Specific Monitoring Requirements:

The permittee shall perform the following inspections on the solvent-cleaning machine.

- a. Monitor the refrigeration device by measuring the temperature of the center of the chilled air blanket with a thermometer or thermocouple during the idling mode. [40 CFR 63.466(a)(1)]
- b. Measure the windspeed within 6 inches above the top of the freeboard area of the solvent cleaning machine using the following procedures [40 CFR 63.466(d)(i)]:
 - i. Determine the direction of the wind current by slowly rotating a velometer or similar device until the maximum speed is located.
 - ii. Orient a velometer in the direction of the wind current at each of the four corners of the machine.
 - iii. Record the reading for each corner.
 - iv. Average the values obtained at each corner and record the average wind speed.
- c. Monitor on a weekly basis the room parameters established during the initial compliance test that are used to achieve the reduced room draft. [40 CFR 63.466(d)(i)]
- d. Monitor the hoist speed as follows [40 CFR 63.466(c)]:
 - i. Determine the hoist speed by measuring the time it takes for the hoist to travel a measured distance. The speed is equal to the distance in feet divided by the time in minutes (feet per minute).

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- ii. The monitoring shall be conducted monthly. If after the first year, no

exceedances of the hoist speed are measured, the owner or operator may begin monitoring the hoist speed quarterly.

- iii. If an exceedance of the hoist speed occurs during calendar quarterly monitoring, the monitoring frequency returns to monthly until another year of compliance without an exceedance is demonstrated.
- iv. If an owner or operator can demonstrate to the Administrator's satisfaction in the initial compliance report that the hoist cannot exceed a speed of 11 feet per minute, the required monitoring frequency is quarterly, including during the first year of compliance.

5. Specific Recordkeeping Requirements:

The permittee shall record each of the following:

- a. Record on a weekly basis the temperature at the center of the air blanket measured during the idling mode with a thermometer or thermocouple. [40 CFR 63.466(a)(1)]
- b. Maintain the following records for the equipment lifetime: [40 CFR 63.467(a)]
 - i. Owner's manuals, or if not available, written maintenance and operating procedures, for the solvent cleaning machine and control equipment.
 - ii. The date of installation for the solvent cleaning machine and all of its control devices.
 - iii. Records of the halogenated HAP solvent content for each solvent used in a solvent cleaning machine subject to the provisions of this subpart (i.e. MSDS).
- c. Maintain the following records for a period of five years: [40 CFR 63.467(b)]
 - i. The results of control device monitoring described above (initial, quarterly, and weekly monitoring inspections).
 - ii. Information on the actions taken to comply with the freeboard refrigeration device and reduced room draft. This information shall include records of written or verbal orders for replacement parts, a description of the repairs made, and additional monitoring conducted to demonstrate that monitored parameters have returned to accepted levels.
 - iii. Estimates of annual solvent consumption for each solvent cleaning machine.

6. Specific Reporting Requirements:

The permittee shall comply with the following reporting requirements:

- a. Submit an initial notification report as soon as practicable before the construction or reconstruction is planned to commence. This report shall include the following: [40 CFR 63.468(b)]
 - i. A brief description of each solvent cleaning machine including machine type, solvent/air interface area, and existing controls.
 - ii. The anticipated compliance approach for each solvent cleaning machine.
 - iii. An estimate of annual halogenated HAP solvent consumption for each solvent cleaning machine.
- b. Submit a compliance report to the Division no later than 150 days after startup [40 CFR 63.468(d)]. This statement shall include the following:
 - i. The name and address of the owner or operator.
 - ii. The address (i.e., physical location) of the solvent cleaning machine.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- iii. A list of the control equipment used to achieve compliance for each solvent cleaning machine.
- iv. For each piece of control equipment required to be monitored, a list of the parameters that are monitored and the values of those parameters measured on or during the first

month after the compliance date.

- v. Conditions to maintain the wind speed requirements for reduced room draft.
- c. Submit an annual report by February 1 of the year following the one for which the reporting is being made [40 CFR 63.468(f)]. This report shall include the following:
 - i. A signed statement from the facility owner or his designee stating that, "All operators of solvent cleaning machines have received training on the proper operation of solvent cleaning machines and their control devices sufficient to pass the test required in 63.463(d)(10)."
 - ii. An estimate of solvent consumption for each solvent cleaning machine during the reporting period.
- d. Submit an exceedance report to the Division semiannually except when the Division determines on a case-by-case basis that more frequent reporting is necessary to accurately assess the compliance status of the source or an exceedance occurs. Once an exceedance has occurred the owner or operator shall follow a quarterly reporting format until a request to reduce reporting frequency under 63.468(i) of this section is approved. Exceedance reports shall be delivered or postmarked by the 30th day following the end of each calendar half or quarter, as appropriate. The exceedance report shall include the following information:
 - i. Information on the actions taken to comply with 63.463 (e) and (f). This information shall include records of written or verbal orders for replacement parts, a description of the repairs made, and additional monitoring conducted to demonstrate that monitored parameters have returned to accepted levels.
 - ii. If an exceedance has occurred, the reason for the exceedance and a description of the actions taken.
 - iii. If no exceedances of a parameter have occurred, or a piece of equipment has not been inoperative, out of control, repaired, or adjusted, such information shall be stated in the report.

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 52:030, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. EP 01- Nickel plating operations	401 KAR 59:010; 401 KAR 63:021
2. EP 03- Cleaning system	401 KAR 59:010; 401 KAR 63:021
3. EP 07- Reverse cleaner	401 KAR 59:010
4. EP 08-Paint Stripping	401 KAR 59:010; 401 KAR 63:020
5. EP 09- 12 Buffing lathes	401 KAR 59:010
6. EP 10- 8 Grinding lathes	401 KAR 59:010
7. EP 11- 4 Grinding lathes	401 KAR 59:010
8. EP 12- 3 Buffing lathes	401 KAR 59:010
9. EP 13- 6 Sandblast cabinets	401 KAR 59:010
10. EP 14- 12 Space heaters	None
11. EP 16- 2 Water evaporators	401 KAR 59:010; 401 KAR 63:020
12. EP 17- Welding operations.	401 KAR 59:010; 401 KAR 63:020
13. Almco V12 Vibratory Finishers (2)	None
14. Torex Vibratory Bowl Finishers (2)	None
15. Rancho Semi-auto Wheel Polishers (2)	None
16. Safety Kleen Part Washer	None
17. EP 04 - Hydrogen Chloride Stripping Process	401 KAR 63:021

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Total particulate, PM10, and HAP emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)(1) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality[401 KAR 52:030 Section 3(1)(f)1a and Section 1a (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.
Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. [Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3\(3\).](#) All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within [30 days](#). Other deviations from permit requirements shall [be included in the semiannual report required by Section F.5](#) [Section 1b V(3) and (4) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. Pursuant to 401KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. **Annual compliance certifications should be mailed to the following addresses:**

Division for Air Quality
Paducah Regional Office
4500 Clarks River Road
Paducah, KY 42003-0823

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission survey is mailed to the permittee. If a KYEIS emission report is not mailed to the permittee, comply with all other emission reporting requirements in this permit.
11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork..
12. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- a. The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - i. The size and location of both the original and replacement units; and
 - ii. Any resulting change in emissions;
 - b. The PTE of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - c. The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - d. The replacement unit shall comply with all applicable requirements; and
 - e. The source shall notify Regional office of all shutdowns and start-ups.
 - f. Within six (6) months after installing the replacement unit, the owner or operator shall:
 - i. Re-install the original unit and remove or dismantle the replacement unit; or
 - ii. Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a (2) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a (5) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Sections 1a (6) and (7) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a (11) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a (3) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a (12)(b) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a (9) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
11. This permit does not convey property rights or exclusive privileges [Section 1a (8) of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 10].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

SECTION G - GENERAL PROVISIONS (CONTINUED)

16. Permit Shield – A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - (a) Applicable requirements that are included and specifically identified in this permit; and
 - (b) Non-applicable requirements expressly identified in this permit.
17. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].
18. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].
19. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.

(b) Permit Expiration and Reapplication Requirements

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].

(c) Permit Revisions

1. Minor permit revision procedures specified in 401 KAR 52:030 Section 14 (3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14 (2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

1. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to 401 KAR 52:030, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.
5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements.
6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(e) Acid Rain Program Requirements

1. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.
2. Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
3. Emergency conditions listed in General Provision G(f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
4. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof[401 KAR 52:030 Section 23(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION G - GENERAL PROVISIONS (CONTINUED)

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.